UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

------------------------------------X

UNITED STATES OF AMERICA

v.

CHRISTOPHER WILLIAMS

Defendants.

------------------------------------X

07 Crim. 229 (RPP)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed affirmation of James A. Mitchell dated May 6, 2009 and the exhibit thereto, and the accompanying Memorandum of Law, Defendant CHRISTOPHER WILLIAMS, by his attorneys, STILLMAN, FRIEDMAN & SHECHTMAN, P.C., will move before this Court on May 14, 2009 at 9 a.m., or as soon thereafter as counsel can be heard, for an order permitting the withdrawal of Defendant's guilty plea pursuant to Rule 11(d)(2)(B) of the Federal Rules of Criminal Procedure.

Dated: New York, New York
May 6, 2009

STILLMAN, FRIEDMAN &
SHECHTMAN, P.C.

By: ______________________
James A. Mitchell [JM 4150]

425 Park Avenue
New York, NY 10022
(212) 223-0200
jmitchell@stillmanfriedman.com

Attorneys for Christopher Williams

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-------------------------------------X

UNITED STATES OF AMERICA

v.

CHRISTOPHER WILLIAMS

Defendants.

-------------------------------------X

07 Crim. 229 (RPP)

AFFIRMATION

STATE OF NEW YORK)
ss.:
COUNTY OF NEW YORK)

JAMES A. MITCHELL, an attorney admitted to the bar of this Court, hereby affirms as true under penalty of perjury, as follows:

1. I am a member of Stillman, Friedman & Shechtman, P.C., attorneys for Defendant Christopher Williams in the above-captioned matter. I submit this Affirmation in support of the motion of Christopher Williams to withdraw his plea of guilty in the matter.

2. The following attached exhibit is referenced in the accompanying Memorandum of Law in support of the motion:

Exhibit A -- a copy of a letter to this Court from Assistant United States Attorney Marc P. Berger dated April 29, 2009.

Dated: New York, New York
May 6, 2009

James A. Mitchell

EXHIBIT A

U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 29, 2009

BY HAND

The Honorable Robert P. Patterson
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Chris Williams,
07 Cr. 229 (RPP)

Dear Judge Patterson:

The Government respectfully submits this letter to apprise the Court of certain facts pertaining to the above-referenced defendant. As the Court is aware, on March 26, 2007 the defendant pled guilty pursuant to a cooperation agreement to a one-count Information, charging him with a conspiracy to commit bank fraud. This charge arose from the defendant's conduct while employed at Collins & Aikman, an auto parts supplier based in the Detroit Metropolitan area.

On January 9, 2009, upon the Government's application, Judge Barbara S. Jones dismissed the criminal case of United States v. David Stockman, et al., 07 Cr. 220 (BSJ), which charged David Stockman and three additional executives at Collins & Aikman with various frauds arising from substantially the same events and circumstances as set forth, in part, in the above-referenced criminal Information.

After a renewed assessment of the evidence against this defendant, including evidence and information acquired after the entry of the guilty plea, it has been concluded that further criminal prosecution would be inequitable and not in the interests of justice. Accordingly, we write to advise the Court that, in the event that the defendant moves to withdraw his plea pursuant to Fed. R. Crim. P. 11(d)(2)(B), the Government will not oppose that motion, as we believe that under the limited facts of this case a fair and just reason exists for such withdrawal.

Respectfully submitted,

LEV L. DASSIN
Acting United States Attorney

By: ______________________________
Marc P. Berger/Anjan Sahni/Josh Klein
Assistant United States Attorneys
(212) 637-2207/2491/2397

cc: Jim Mitchell, Esq. (By fax: 212-223-1942)